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Technology Center 2100

In re Application of: KUNIYUKI KAJITA

Application No.: 09/701,433

Filed: November 29, 2000

For: **RADIO COMMUNICATION APPARATUS
AND CODING PROCESSING METHOD**

)
) DECISION ON PETITION FOR
) ACCELERATED EXAMINATION
) UNDER M.P.E.P. §708.02(VIII)
)

This is a decision on the petition, filed September 30, 2003 and supplemented by Petitioner's submission dated December 02, 2003 under 37 C.F.R. §1.102(d) and M.P.E.P. §708.02(VIII), which requests the Accelerated Examination of the above-identified application.

M.P.E.P. §708.02, Section VIII which sets out the prerequisites for a grantable petition for Accelerated Examination under 37 C.F.R. §1.102(d) states in relevant part:

A new application (one which has not received any examination by the examiner) may be granted special status provided that applicant (and this term includes applicant's attorney or agent) complies with each of the following items:

- (A) Submits a petition to make special accompanied by the fee set forth in 37 CFR 1.17(h);
- (B) Presents all claims directed to a single invention, or if the Office determines that all the claims presented are not obviously directed to a single invention, will make an election without traverse as a prerequisite to the grant of special status.
- (C) Submits a statement(s) that a pre - examination search was made, listing the field of search by class and subclass, publication, Chemical Abstracts, foreign patents, etc. A search made by a foreign patent office satisfies this requirement;
- (D) Submits one copy each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record; and
- (E) Submits a detailed discussion of the references, which discussion points out, with the particularity required by 37 CFR 1.111(b) and (c), how the claimed subject matter is patentable over the references.

Petitioner's submission dated December 02, 2003 cures the deficiencies in the original Petition noted in the decision mailed November 21, 2003. Accordingly, the Petition is **GRANTED**.

The application file is being forwarded to the Examiner of Record for promptly examining this application out of turn according to the procedures set forth in M.P.E.P. §708.02.

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Special Programs Examiner

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